



## UNITED STATES DEPARTMENT OF COMMERCE

## Patent and Trademark Office

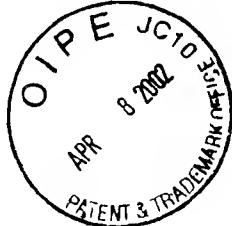
ASSISTANT SECRETARY OF COMMERCE AND  
CHIEF OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/996,636	11/29/2001	Carl J. Pacifico	1001-13 RES

Hoffman & Baron LLP  
6900 Jericho Turnpike  
Syosset, NY 11791

FEB 7 2002



Date Mailed: 01/28/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Correction of the following is required to complete the reissue application

The reissue specification has not been provided in double-column format as is required by 37 CFR 1.173(a)(1). A surcharge is not required when supplying this item.

Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided, to comply with 37 CFR 1.172. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP § 324. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

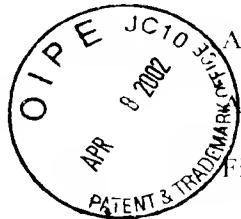
Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided. Until this item is supplied, the oath/declaration remains defective; thus, payment of the surcharge (\$130 for large entity; \$65 for small entity) under 37 CFR 1.53(f) and 37 CFR 1.16(e) is required in addition to the supplying of this item. See MPEP § 1410.01.

*A copy of this notice MUST be returned with the reply.*

Office of Initial Patent Examination (703)308-1202

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Pacifico et al. Examiner: Unassigned  
Application No.: 09/996,636 Group Art Unit: Unassigned  
Filing Date: November 29, 2001 Docket: 1001-13 RES  
For: SENSITIVE SUBSTANCE Dated: March 28, 2002  
ENCAPSULATION

Box Reissue  
Commissioner for Patents  
Washington D.C. 20231

I hereby certify this correspondence is being  
mailed by the United States Postal Service as first class  
postpaid in an envelope, addressed to:  
Commissioner for Patents, Washington, DC 20231  
on March 28, 2002

Signature: C. Bayer

RESPONSE TO FORMALITIES LETTER

Sir:

In response to the Formalities Letter, mailed on January 28, 2002 for the above-identified reissue application, enclosed herewith are the following:

1. Copy of Formalities Letter.
2. Combined Declaration and Power of Attorney executed by the inventor, Carl J. Pacifico.
3. Petition under 37 C.F.R. §1.47.
4. Declaration in support of Petition under 37 C.F.R. §1.47.
5. FEES:

\$370.00	Basic Filing Fee
\$ 65.00	Surcharge
\$126.00	Fee for 14 claims over 20
\$ 42.00	Fee for 1 independent claim over 3
<u>\$130.00</u>	Fee for Petition under 37 C.F.R. §1.47 (a).
\$733.00	

A check in the amount of \$733.00 is enclosed.

The Applicants qualify for a Small Entity status under 37 C.F.R. §1.9(f).

Accordingly, the basic filing fee (37 C.F.R. §1.16(a)), surcharge (37 C.F.R. §1.16(1)), fee for

claims in excess of twenty (37 C.F.R. §1.16(c)), and fee for independent claims in excess of three (37 C.F.R. §1.16(b)) are paid as a small entity.

The undersigned affirms that the application filed in the PTO is the application that the inventors executed by signing the application.

If any additional fees are due or an overpayment has been made, please charge or credit Deposit Account No. 08-2461, accordingly. A duplicate copy of this sheet is enclosed for that purpose.

Respectfully submitted,



Susan A. Sipos, Esq.  
Attorney for Applicants  
Registration No. 43,128

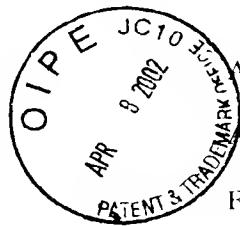
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SAS/dlb

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11P, H3  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants: Pacifico et al. Examiner: Unassigned  
Application No.: 09/996,636 Group Art Unit: Unassigned  
Filing Date: November 29, 2001 Docket: 1001-13 RES  
For: SENSITIVE SUBSTANCE Dated: March 28, 2002  
ENCAPSULATION

Box Reissue  
Commissioner for Patents  
Washington D.C. 20231

I hereby certify this correspondence is being deposited  
with the United States Postal Service as first class mail,  
in an envelope, addressed to:  
Commissioner for Patents, Washington, DC 20231

1101-13 RES  
Signature: Susan A. Sipos

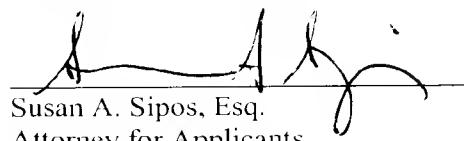
RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts for the above-identified reissue application, mailed on January 28, 2002, enclosed herewith are the following:

1. Copy of the Notice; and
2. The Reissue Specification in double-column format as is required by 37 C.F.R. 1.173 (a)(1).

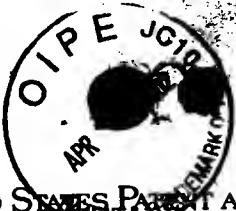
Respectfully submitted,



Susan A. Sipos, Esq.  
Attorney for Applicants  
Registration No. 43,128

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SAS/db

150002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/996,636	11/29/2001	Carl J. Pacifico	1001-13 RES

**CONFIRMATION NO. 4050**

## FORMALITIES LETTER



\*OC00000007374996\*

Hoffman & Baron LLP  
6900 Jericho Turnpike  
Syosset, NY 11791

FEB - 6 2002

adjustment date: 07/02/2002 SDIRETA1  
6/14/2002 AUSMANI 00000018 09996636  
1 FD:202 -126  
2 FC:203 -252

Date Mailed: 01/28/2002

**NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION**

***Filing Date Granted***

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$336.
  - \$252 for 14 total claims over 20.
  - \$84 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1206.**

*A copy of this notice **MUST** be returned with the reply.*

## Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

04/10/2002 ADGMAN1 00000056 09996636

01 FC:201	370.00	DP
02 FC:202	42.00	DP
03 FC:203	126.00	DP
04 FC:205	65.00	DP

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04/11/2002	ROSMAN1	00000001	0998636
01	FC:208		370.00
02	FC:209		42.00
03	FC:210		126.00
RepIn: Ref: 07/02/2002 SDIRETAL 0014141700		Date: 08/24/61 Name/Number: 0998636	
		CR \$378.00	

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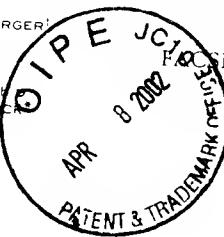
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\* NOT ADMITTED IN N.Y.

† SENIOR ATTORNEYS

◊ ADMITTED IN N.Y. AND CT

December 11, 2001

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Marta Fraley  
804 Cooley Road  
Parksville, New York 12768

Re: Reissue Application for U.S. Patent No.: 6,251,478 B1 for:  
SENSITIVE SUBSTANCE ENCAPSULATION  
Our Docket No.: 1001-13 RES

Dear Marta Fraley:

At the request of Dr. Patricia Siuta-Cruce, our firm is prosecuting the above-identified reissue application. The reissue application has been filed to correct an error which appeared in the issued patent.

A Combined Declaration and Power of Attorney, signed by each of the inventors, is required to complete the filing of a reissue application. Accordingly, enclosed please find the following documents:

1. A copy of the above-identified reissue application including:
  - a. the specification;
  - b. the claims; and
  - c. the Amendment to the reissue application.
2. A Combined Declaration and Power of Attorney.

Kindly review the enclosed documents and sign the Combined Declaration and Power of Attorney. Please return the signed documents to the undersigned for filing with the U.S. Patent and Trademark Office.